<u>Remarks</u>

<u>Amendments to Claims</u>

Claims 1, 11, 18, 21 and 24 have been amended as indicated above. Specifically, claims 1, 11, 18, 21 and 24 have been respectively amended to clarify the fact that each claim recites a single display, and that such display is distinct from any of the user-accessible input points also recited by each claim. Support for the respective amendments to claims 1, 11, 18, 21 and 24 can be found at least on page 6, line 8 to page 18, line 22 of the Specification and Figures 1-3 of Drawings of the Instant Application as originally filed. No new matter has been introduced by the amendments to the claims.

<u>Rejection of Claims under 35 U.S.C. § 102</u>

Claim 22 has been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,914,676 ("Akpa").

The Applicant respectfully disagrees that claim 22 is anticipated by Akpa.

As a starting point, the PTO and the Federal Circuit provide that §102 anticipation requires **each and every element** of the claimed invention to be disclosed in a single prior art reference. (*In re Spada*, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990).) The corollary of this rule is that the absence from a cited §102 reference of <u>any</u> claimed element negates the anticipation. (*Kloster Speedsteel AB, et al v. Crucible, Inc., et al*, 793 F.2d 1565, 230 USPQ 81 (Fed. Cir. 1986).) Furthermore, "[a]nticipation requires that <u>all</u> of the elements <u>and limitations</u> of the claims are found within a single prior art reference." (*Scripps Clinic and Research Found. v Genetech. Inc.*, 927 F.2d 1565, 1576, 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991 (emphasis added).) Moreover, the PTO and the Federal Circuit provide that §102 anticipation requires that there must be <u>no difference</u> between the

claimed invention and the reference disclosure. (*Scripps Clinic and Research Found. v. Genetech, Inc.,* id. (emphasis added).)

Accordingly, if the Applicant can demonstrate that any one element or limitation in claim 22 is not disclosed by Akpa, then the claim must be allowed.

Claim 22 includes the following limitations:

A document processing apparatus, comprising:

[…]

an electronic readable memory device comprising descriptions of selected ones of the plurality of user-accessible input points in a plurality of languages;

a processor configured to associate an input point signal from an input point with a corresponding description of the input point in a preselected one of the plurality of languages and to display the description on the display for a preselected time; and

wherein one of the selected ones of the user input points comprises a user assist input point, and wherein the corresponding description of the user assist input point in the preselected language is <u>a message informing the user how to access descriptions of the remaining selected ones of the plurality of user-accessible input points.</u>

(Emphasis added).

Akpa fails to provide <u>a message informing the user how to access</u> *descriptions* <u>of the remaining selected ones of the plurality of user-accessible input points</u>, as recited in combination with the other features and limitations of claim 22.

Rather, Akpa provides for displaying *language selections* (i.e., a list or menu of different languages) on a separate display, so as to label each of a plurality of

special-function keys 32-42 by way of corresponding LCD displays 56 incorporated into each key (Col 2, line 67 to Col. 3, line 11 of Akpa). This is not the same as a message informing the user how to access *descriptions* of (i.e., other information regarding) the remaining selected ones of the plurality of user-accessible input points, as recited in combination with the other limitations of claim 22.

Put another way, Akpa goes to the simple selection of a particular language for use in *labeling* user inputs. This is distinctly different from *describing* the *operation* and/or *functionality* of each of a number of user inputs. In the interest of clarifying and supporting this important distinction, the Examiner is respectfully referred to page 13, lines 1-15 of the Specification as originally filed. In view of the deficiencies of Akpa, the Applicant asserts that the § 102 rejection of claim 22 is invalid and should be withdrawn.

For at least the foregoing reasons, the Applicant asserts that claim 22 is allowable. As claim 23 depends from claim 22, it is axiomatic that claim 23 is also allowable by virtue of its dependence from an allowable base claim, as well as for its own patentable features and limitations.

Rejection of Claims under 35 U.S.C. § 103

Claims 1-4, 8, 11, and 18-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa in view of JP11053941 ("Matsuda"). Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa in view of Matsuda, in further view of U.S. Patent No. 5,007,008 ("Beers"). Claim 10 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa in view of Matsuda, in further view of U.S. Patent No. 5,768,142 ("Jacobs"). Claims 12-16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa in view of Matsuda, in further view of U.S. Patent No. 6,507,352 ("Cohen").

Claim 17 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa in view of Matsuda and Cohen, and in further view of U.S. Patent No. 5,790,652 ("Gulley"). Claim 21 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa, in view of "Official Notice". Claim 23 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa in view of Gulley.

While not specifically rejected by the Examiner, the Applicant believes that the Examiner intended to reject claim 24 under 35 U.S.C. § 103(a) as being unpatentable over Akpa in view of "Official Notice", as applied above to claim 21 (pages 16-17 of Office Action).

The Applicant respectfully disagrees that claims 1-5, 8, 10-21 and 23-24, as respectively amended, are unpatentable as respectively rejected under 35 U.S.C. § 103(a).

As a starting point, MPEP 706.02(j) states:

"[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, <u>there must be some suggestion or motivation, either in the cited references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings</u>. Second, there must be a reasonable expectation of success. Finally, <u>the prior art reference</u> (or references when combined) **must teach or suggest all the claim limitations**. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure."

(Emphasis added.)

Claims 2-5, 8 and 10 depend from claim 1, as amended. Claims 12-17 depend from claim 11, as amended. Claims 19-20 depend from claim 18, as

amended. It is axiomatic that any claim depending (directly or indirectly) from an allowable base claim is also allowable. Therefore, the Applicant provides the following arguments in support of the allowability of independent claims 1, 11, 18, 21 and 24, as the Applicant does not believe it necessary to provide arguments in favor of each and every dependent claim. As asserted above, the Applicant believes that claim 23 is allowable at least by virtue of its dependence from allowable independent claim 22.

Claim 1

The Applicant asserts that claim 1, as amended (and claims 2-5, 8 and 10 that depend therefrom), are allowable. In regard to claim 1, as amended, that claim includes the following features and limitations:

A <u>document processing apparatus</u> comprising:

<u>a single display</u>;

<u>a plurality of user-accessible input points</u> configured to generate input point signals in response to being accessed by a user, wherein <u>the display is distinct from any of the plurality of user-accessible input points</u>;

an electronic readable memory device comprising descriptions of selected ones of the plurality of user-accessible input points in a plurality of languages;

a processor configured to associate an input point signal from an input point with a corresponding description of the input point in a preselected one of the plurality of languages and to display the description on the display for a preselected time; and

an electronic timer in communication with the processor, the electronic timer configured to determine time duration.

(Emphasis added.)

Akpa fails to teach or suggest <u>a single display</u> and <u>a plurality of user-accessible input points</u>, wherein <u>the display is distinct from any of the plurality of user-accessible input points</u>, as recited in combination with the other features of claim 1, as amended.

Rather, Akpa provides LCD screens 56 incorporated into *each* of a *plurality* of user-input keys 32-42 (Abstract; Figs. 2-4 of Akpa). Also, Akpa provides for a general display screen which, in concert with a *plurality* of LCD screens 56 incorporated into *each* user-input key, facilitates language-selectable labeling by the user (Col. 2, line 67 to Col. 3, line 11 of Akpa). Furthermore, Akpa provides for an L-shaped, touch-sensitive LCD screen that represents (and displays) a *plurality* of user-input keys 32-42 and their corresponding labels (Col. 3, lines 37-48 of Akpa).

In other words, all embodiments provided, taught or suggested by Akpa are classifiable as follows: 1) Inclusive of a *plurality* of user-input keys *each* incorporating an *LCD display*; or 2) Inclusive of a touch-sensitive *LCD display* capable of representing a *plurality* of user-input keys. In any case, Akpa is directed to various embodiments wherein each of a plurality of user-input keys is substantially inseparable from the electronic display that represents and/or labels it. This is not the same as <u>a document processing apparatus</u> comprising <u>a *single* display [that] is distinct from any of the plurality of user-accessible input points</u>, as recited in combination with the other features and limitations of claim 1, as amended.

In fact, Akpa teaches directly away from the present invention, as Akpa is teaching exactly the sort of complexity and corresponding expense that the present invention, as recited by claim 1, as amended, is directed to avoiding. (The Examiner

is respectfully referred to page 3, lines 1-17 of the Specification as originally filed.) One of ordinary skill in the art would not be led toward the present invention as recited by claim 1, as amended, by virtue of the teachings or suggestions of Akpa.

Matsuda fails to cure the deficiencies of Akpa. Specifically, Matsuda fails to teach or suggest <u>a single display</u> and <u>a plurality of user-accessible input points</u>, wherein <u>the display is distinct from any of the plurality of user-accessible input points</u>, as recited in combination with the other features of claim 1, as amended.

Rather, Matsuda is directed to a timer function for shutting down an electronic display within a portable telephone in the interest of battery conservation (Abstract of Matsuda), which is a substantially different problem than that of the present invention as recited by claim 1, as amended.

There is no way to select elements from Akpa, and then to somehow combine those elements with other elements selected from Matsuda, in order to arrive at the instant invention as recited by claim 1, as amended, as no possible combination of Akpa and Matsuda teaches or suggests all of the necessary limitations. In view of the foregoing deficiencies of Akpa and Matsuda, and in further view of the requirements recited by MPEP 706.02(j), the § 103 rejection of claim 1, as amended, is unsupportable and should be withdrawn.

For at least these reasons, the Applicant asserts that claim 1, as amended is allowable. It is axiomatic that claims 2-5, 8 and 10 are also allowable at least by virtue of their dependence (directly or indirectly) from allowable independent claim 1, as amended.

Claim 11

The Applicant asserts that claim 11, as amended (and claims 12-17 that depend therefrom), are allowable. In regard to claim 11, as amended, that claim includes the following features and limitations:

A method for displaying local language descriptions of <u>a plurality of user accessible input points</u> of a document processing apparatus, comprising:

  <u>providing a single electronic display distinct from any of the plurality of user-accessible input points</u>;

  providing, on a machine readable medium and in the local language, a plurality of descriptions of user input points corresponding to the plurality of user accessible input points; and

  in response to a user accessing an input point, determining a time duration of an input signal for the input point the user is accessing, accessing the local language description of the user input point which corresponds to the user input point, and <u>displaying to the user the local language description of the user input point using the electronic display</u>.

  (Emphasis added).

As was discussed above with regards to claim 1, Akpa fails to teach or suggest any method for displaying local language descriptions of <u>a plurality of user accessible input points</u> of a document processing apparatus, such a method comprising <u>providing a single electronic display distinct from any of the plurality of user-accessible input points</u>, and <u>displaying to the user the local language *description* of the user input point using the electronic display</u>, as recited in combination with the other features and limitations of claim 11, as amended.

  Matsuda fails to cure the deficiencies of Akpa. Specifically, Matsuda fails to teach or suggest any method for displaying local language descriptions of <u>a plurality of user accessible input points</u> of a document processing apparatus, such a method comprising <u>providing a single electronic display distinct from any of the plurality of</u>

user-accessible input points, and _displaying to the user the local language description_ of the user input point using the electronic display, as recited in combination with the other features and limitations of claim 11, as amended.

As argued above (see claim 1 discussion), Akpa is directed to embodiments wherein each of a plurality of user-input keys is substantially inseparable from the electronic display that represents and/or labels it. In turn, Matsuda is directed to a timer function for conserving battery power within a portable phone. Neither Akpa nor Matsuda teach or suggest elements of the present invention as recited by claim 11, as amended.

There is no way to select elements from Akpa, and then to somehow combine those elements with other elements selected from Matsuda, in order to arrive at the instant invention as recited by claim 11, as amended, as no possible combination of Akpa and Matsuda teaches or suggests all of the necessary limitations. In view of the foregoing deficiencies of Akpa and Matsuda, and in further view of the requirements recited by MPEP 706.02(j), the § 103 rejection of claim 11, as amended, is unsupportable and should be withdrawn.

For at least these reasons, the Applicant asserts that claim 11, as amended is allowable. It is axiomatic that claims 12-17 are also allowable at least by virtue of their dependence (directly or indirectly) from allowable independent claim 11, as amended.

Claim 18

The Applicant asserts that claim 18, as amended (and claims 19-20 that depend therefrom), are allowable. In regard to claim 18, as amended, that claim includes the following features and limitations:

A document processing apparatus comprising:

a single display;

a plurality of user-accessible input points configured to generate input point signals in response to being accessed by a user, wherein the display is distinct from any of the plurality of user-accessible input points;

an electronic readable memory device comprising descriptions of selected ones of the plurality of user-accessible input points in a local language;

a processor configured to associate an input point signal from an input point with a corresponding description of the input point in the local language and to display the description on the display; and

an electronic timer in communication with the processor, the electronic timer configured to determine time duration.

(Emphasis added.)

As previously discussed, Akpa fails to teach or suggest a single display and a plurality of user-accessible input points, wherein the display is distinct from any of the plurality of user-accessible input points, as recited in combination with the other features and limitations of claim 18, as amended.

Matsuda fails to cure the deficiency of Akpa. In particular, Matsuda fails to teach or suggest a single display and a plurality of user-accessible input points, wherein the display is distinct from any of the plurality of user-accessible input points, as recited in combination with the other features and limitations of claim 18, as amended.

There is no way to select elements from Akpa, and then to somehow combine those elements with other elements selected from Matsuda, in order to arrive at the

instant invention as recited by claim 18, as amended, as no possible combination of Akpa and Matsuda teaches or suggests all of the necessary limitations. In view of the foregoing deficiencies of Akpa and Matsuda, the § 103 rejection of claim 18, as amended, is unsupportable and should be withdrawn.

For at least these reasons, the Applicant asserts that claim 18, as amended is allowable. It is axiomatic that claims 19-20 are also allowable at least by virtue of their dependence (directly or indirectly) from allowable independent claim 18, as amended.

Claim 21

The Applicant asserts that claim 21, as amended, is allowable. In regard to claim 21, as amended, that claim includes the following features and limitations:

A document processing apparatus, comprising:

a single display;

a plurality of user-accessible input points configured to generate input point signals in response to being accessed by a user, wherein the display is distinct from any of the plurality of user-accessible input points;

an electronic readable memory device comprising descriptions of selected ones of the plurality of user-accessible input points in a plurality of languages;

a processor configured to associate an input point signal from an input point with a corresponding description of the input point in a preselected one of the plurality of languages and to display the description on the display for a preselected time;

[...]; and

an access connection in communication with the processor, the access connection configured to receive signals from an external access device to thereby store the memory address locations of the preselected language in the separate description memory address location, and wherein the external access device does not comprise part of the document processing apparatus, and further wherein the memory address locations of the preselected language can only be stored in the separate description memory address location by the external access device.

(Emphasis added.)

As discussed above, Akpa fails to teach or suggest a single display and a plurality of user-accessible input points, wherein the display is distinct from any of the plurality of user-accessible input points, as recited in combination with the other features and limitations of claim 21, as amended. Furthermore, Akpa fails to teach or suggest an access connection in communication with the processor, the access connection configured to receive signals from an external access device, and wherein the memory address locations of the preselected language can only be stored in the separate description memory address location by the external access device, as recited in combination with the other features and limitations of claim 21, as amended.

As argued above, Akpa is directed to embodiments wherein each of a plurality of user-input keys is substantially inseparable from the electronic display that represents and/or labels it. Also, the Examiner has admitted (page 15 of Office Action) that Akpa does not teach an access connection in communication with the processor, the access connection configured to receive signals from an external access device, and the Examiner has further admitted that Akpa does not teach that

the memory address locations of the preselected language can only be stored in the separate description memory address location by the external access device, as recited in claim 21, as amended.

The Applicant respectfully requests evidence in support of "Official Notice" as taken by the Examiner (page 16 of Office Action), in regard to an apparatus in which the memory address locations of a preselected language can only be stored in a separate description memory address location by way of an external access device. Such request is made in accordance with MPEP 2144.03(C).

In any case, Akpa fails to teach or suggest one or more limitations as recited by claim 21, as amended. Therefore, the Applicant asserts that the § 103 rejection of claim 21, as amended, is invalid in view of the deficiencies of Akpa, and should be withdrawn. For at least these reasons, the Applicant asserts that claim 21, as amended, is allowable.

Claim 24

The Applicant asserts that claim 24, as amended, is allowable. In regard to claim 24, as amended, that claim includes the following features and limitations:

A document processing apparatus, comprising:

a single display;

a plurality of user-accessible input points configured to generate input point signals in response to being accessed by a user, wherein the display is distinct from any of the plurality of user-accessible input points;

an electronic readable memory device comprising descriptions of selected ones of the plurality of user-accessible input points in a plurality of languages;

a processor configured to associate an input point signal from an input point with a corresponding description of the input point in a preselected one of the plurality of languages and to display the description on the display for a preselected time; and

<u>an access connection in communication with the processor, the access connection configured to receive signals from an external access device to thereby determine the preselected language</u>.

As discussed above, Akpa fails to teach or suggest <u>a single display</u> and <u>a plurality of user-accessible input points</u>, wherein <u>the display is distinct from any of the plurality of user-accessible input points</u>, as recited in combination with the other features and limitations of claim 24, as amended.

Furthermore, the Applicant respectfully reiterates the request for evidence in support of "Official Notice" as taken by the Examiner (page 17 of Office Action), in accordance with MPEP 2144.03(C), in regard to an access connection in communication with a processor, the access connection configured to receive signals from an external access device so as to determine a preselected language.

In any case, Akpa fails to teach or suggest one or more limitations as recited by claim 24, as amended. Therefore, the Applicant asserts that the § 103 rejection of claim 24, as amended, is invalid in view of the deficiencies of Akpa, and should be withdrawn. For at least these reasons, the Applicant asserts that claim 24, as amended, is allowable.

<u>Summary</u>

The Applicant believes that this response constitutes a full and complete response to the Final Office Action dated March 22, 2005, as well as a complete submission to accompany Request for Continued Examination in accordance with 37
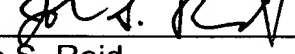
CFR 1.114. Therefore, the Applicant respectfully requests reconsideration on the merits of claims 1-5, 8, and 10-24, as respectively amended, in favor of timely allowance.

The Examiner is respectfully requested to contact the below-signed representative if the Examiner believes this will facilitate prosecution toward allowance of the claims.

Respectfully submitted,

William L. CORNELIUS

Date: ___May 20, 2005___   By _____

John S. Reid
Attorney and Agent for Applicant(s)
Reg. No. 36,369
Phone: (509) 534-5789